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PROGRAMME BUDGET FOR THE BIENNIUM 1994-1995

PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1996-1997

International Commission of Inquiry in Rwanda

Revised estimates under section 3, Peace-keeping operations and special missions; section 32, Staff assessment, and income section 1, Income from staff assessment

Fifth Report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General on the Commission of Inquiry in Rwanda (A/C.5/50/27). During its consideration of the report, the Advisory Committee met representatives of the Secretary-General, who provided additional information.

2. The Security Council, in its resolution 1011 (1995) of 16 August 1995, requested the Secretary-General to make recommendations, as soon as possible, on the establishment of a commission mandated to conduct a full investigation to address allegations of arms flows to former Rwandan government forces in the Great Lakes region of Central Africa.

3. In its resolution 1013 (1995) of 7 September 1995, the Security Council requested the Secretary-General to establish, as a matter of urgency, an International Commission of Inquiry. The Council recommended that the Commission be appointed by the Secretary-General and be composed of 5 to 10 impartial and internationally respected persons, including legal, military and police experts, under the chairmanship of an eminent person, and assisted by the appropriate support staff.

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4. In the same resolution, the Council requested the Secretary-General to report to it on the establishment of the Commission, and further requested him, within three months from the establishment of the Commission, to submit an interim report on the conclusions of the Commission and, as soon as possible thereafter, to submit a final report containing its recommendations.

5. The Advisory Committee, in its letter of 31 October 1995, concurred in the Secretary-General's request to enter into commitments in an amount not exceeding $424,400 gross or $397,300 net for the cost of the establishment of the International Commission in Rwanda for the period from 1 November to 31 December 1995. This request was made under paragraph 3 of General Assembly resolution 49/229 of 23 December 1993 on unforeseen and extraordinary expenses for the biennium 1994-1995.

6. The Secretary-General estimates total requirements for the Commission for the period from 1 November 1995 to 30 April 1996 at $1,162,000 gross or $1,080,700 net, as indicated in paragraph 9 of the Secretary-General's report. Supplementary information is given in the annex to the report. The net amount comprises the expenditures of the Commission for the period from 1 November to 31 December 1995 of $392,100 net, plus an amount of $688,600 estimated in 1996.

7. The Advisory Committee notes from paragraph 10 of the Secretary-General's report that the cost of equipment and furniture transferred from the United Nations Assistance Mission for Rwanda (UNAMIR) is estimated at $22,000. However, the Advisory Committee was informed that this estimate does not include the cost of air support, vehicles and communication provided to the Commission by other missions in the area (see para. 16 below). This information should be provided in the context of the first performance report on the programme budget for 1996-1997.

8. With regard to the duration of the operation of the Commission, the Advisory Committee recalls that the Security Council, in its resolution 1013 (1995), requested the Secretary-General, within three months from the establishment of the Commission, to submit an interim report on the conclusions of the Commission and, as soon as possible thereafter, to submit a final report containing recommendations of the Commission (see para. 4 above). In this connection, the Advisory Committee notes that the Secretary-General has estimated that the Commission will finish its work within six months.

9. Paragraph 8 of the Secretary-General's report and paragraph 2 of the annex to the report indicate that the headquarters of the Commission will be at Nairobi. Upon inquiry, the Advisory Committee was informed that the choice of Nairobi as headquarters for the Commission was due to the fact that much of the investigation by the Commission is to be undertaken outside Rwanda and that the Nairobi location facilitated travel to and from the places of investigation.

10. According to the Secretary-General, the Commission will be supported by one Military Observer, eight international staff (one P-4, two P-3, one P-2, one General Service and three Security Officers) and six local-level staff. The Committee understands that the Military Observer is required for expert assistance in the identification of arms.

11. With regard to the P-3 post of Security Coordinator, the Advisory Committee was informed that a Security Coordinator was necessary to ensure the safety of the Commission members whenever they travel to the various countries of the Great Lakes region of Central Africa. The Advisory Committee has no objection to this position.

12. Upon inquiry, the Advisory Committee was informed that an Administrative Officer was required in order to prepare financial contracts and to make payments. In view of the functions to be performed by the Administrative Officer, the Advisory Committee trusts that the post will be filled by a staff member and that that person will have sufficient knowledge of United Nations rules and procedures.

13. As far as the need for the post of Legal Officer is concerned, the Advisory Committee was informed that the duties of this person will be to advise the Chairman and provide legal services to the Commission. In this connection, the Advisory Committee recalls and reiterates the comment in its first report on the proposed programme budget for the biennium 1996-1997 1/ that any legal advice given by legal officers carrying out legal functions in the Secretariat other than the Office of Legal Affairs should be consistent with the practice of the United Nations Legal Counsel.

14. The Committee notes that provision for hospitality has been made at the rate of $1,000 a month; this is excessive.

15. In paragraph 11 of his report, the Secretary-General indicated that the activities relating to the Commission were of an extraordinary nature and should be dealt with outside the procedures relating to the contingency fund, as provided for in paragraph 11 of annex I to General Assembly resolution 41/213 of 19 December 1986. In this connection, the Advisory Committee recommends that the expenditures for the period from 1 November to 31 December 1995 in the amount of $419,200 gross or $392,100 net be considered in the context of the second performance report for the biennium 1994-1995. The operations of the Commission in 1996 will give rise to expenditure not exceeding $688,600. Such additional appropriation as may be necessary could be considered by the General Assembly in the context of its review and approval of the proposed programme budget for 1996-1997.

16. With regard to the treatment of the transfer of assets between missions, it is the intention of the Advisory Committee to return to this issue in the context of its consideration of the relevant report of the Secretary-General.

Notes

1/ Official Records of the General Assembly, Fiftieth Session, Supplement No. 7 (A/50/7), part III.24.

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PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1996-1997

THE SITUATION OF DEMOCRACY AND HUMAN RIGHTS IN HAITI

Revised estimates under section 3, Peace-keeping operations and special missions, section 32, Staff assessment, and income section 1, Income from staff assessment

Sixth report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General (A/C.5/50/25) on the financing of the United Nations component of the International Civilian Mission to Haiti (MICIVIH) under the proposed programme budget for 1996-1997. During its consideration of the report, the Advisory Committee met with representatives of the Secretary-General, who provided additional information.

2. The General Assembly, in its resolution 47/20 B of 20 April 1993, approved the joint participation of the United Nations with the Organization of American States (OAS) in MICIVIH and, in its resolution 49/27 B of 12 July 1995, renewed the mandate of the joint participation of the United Nations and authorized its extension until 7 February 1996, the date on which the Haitian President's term of office expires.

3. The Advisory Committee notes from paragraphs 49 to 51 of the report of the Secretary-General (A/50/548) on the situation of democracy and human rights in Haiti that the Secretary-General intends, upon receipt of a request from the Government of Haiti, to formulate a recommendation to the General Assembly for an extension of the mandate of MICIVIH beyond 7 February 1996. As indicated in paragraph 50, the Secretary-General of OAS has already expressed a readiness for a continued MICIVIH presence in Haiti after 7 February 1996. The Committee notes that, should the Government of Haiti make such a request for the extension

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of the Mission, the size and composition of its staff would be reassessed in consultation with the Secretary-General of OAS to reflect the new terms of reference of the Mission.

4. As indicated in paragraph 5 of the report on the financing of MICIVIH (A/C.5/50/25), the appropriation required for the biennium 1996-1997 to cover the cost of the Mission's mandate in 1996 is $2,270,400 until 7 February 1996. The requirements relate to salaries and common staff costs for the continuation of 115 international staff, consisting of 98 staff in the Professional categories and above (1 D-2, 2 P-5, 47 P-4, 41 P-3, 7 P-2), 10 General Service staff and 7 Field Service staff (ibid., annex I). The actual deployment of MICIVIH's mission staff for 1995, as provided to the Committee, is shown in the annex to the present report.

5. Salaries and common staff costs of 251 local staff, estimated at $456,800, will be shared between the United Nations and OAS in accordance with the Memorandum of Understanding between OAS and the United Nations. As shown in annex I to the financing report, the provision for salaries and common staff costs ($1,343,800) includes the United Nations share of $228,400 of salaries and common staff costs of local staff.

6. With regard to the estimate for United Nations Volunteers (UNV), the Advisory Committee notes from annex I that provision of $340,200 is proposed for the continuation of 30 United Nations Volunteers to serve as human rights observers for the period from 1 January to 7 February 1996. In the view of the Committee the estimate of $11,340 per Volunteer for 37 days is excessive. The Committee recalls that, in mid-July, it had been informed that the average cost per Volunteer per month was $4,325 for MICIVIH and $4,695 for the United Nations Mission in Haiti (UNMIH), which included the costs of a programme and administrative support unit (A/50/488, para. 26). Furthermore, the Committee recalls that administrative support to MICIVIH is currently being provided by the administrative structure of UNMIH (ibid., para. 24, and A/50/548, para. 48).

7. The Advisory Committee requested information as to the basis for the calculation of the UNV estimate but received no satisfactory explanation. The Committee recommends that a revised estimate of $160,025 be approved for 30 United Nations Volunteers for 37 days on the basis of the rate provided to the Committee in July 1995 of $4,325 per Volunteer per month. The consequential reduction in the estimate is $180,203.

8. As indicated in annex I, operational costs include provisions of $31,300 for rental and maintenance of premises and $25,000 for miscellaneous service contracts. The Advisory Committee notes that, in accordance with the terms of the Memorandum of Understanding with OAS, the United Nations is required to pay 50 per cent of the total cost of rental and maintenance of premises ($62,600).

9. With regard to the total provision for rental and maintenance of vehicles ($63,600), in the view of the Advisory Committee, provision of $32,700 for spare parts, regular maintenance and repairs of 109 vehicles (89 United Nations-owned vehicles and 20 OAS vehicles at an estimated cost of $300) is excessive. The Committee recalls that, with respect to civilian-pattern vehicles in UNMIH, it had been informed that the monthly cost would amount to $185 per vehicle for

spare parts and regular maintenance (A/50/488, para. 30). Upon request, the Committee was provided with revised estimates of $20,165 to cover the costs of vehicle spare parts, regular maintenance and repairs and an estimate of $14,000 for petrol, oil and lubricants, with a consequential total reduction under rental/maintenance of vehicles of $27,600.

10. As regards commercial communication charges ($66,400), the Advisory Committee believes that provision of $40,000, as shown in annex II, to cover charges for Inmarsat type M portable satellite terminals, at the estimated user rate of 2.5 hours per day per terminal, may be excessive. The Committee understands that UNMIH's communication network accommodates the requirements of MICIVIH and that the Inmarsat portable terminals will be used as emergency back-up. The Committee recalls that, for instance, in the case of commercial communication charges for UNMIH, estimates were presented to the Committee for commercial satellite terminal (Inmarsat type M) at the rate of approximately 5 minutes per day per terminal, at a monthly cost of $9,300 for 15 terminals (A/50/363, annex V, table 7).

11. Upon inquiry, the Committee was informed that the provisions for user charges for Inmarsat type M terminals are higher for MICIVIH as compared to UNMIH because some MICIVIH outstations are not located in the same area as UNMIH's sector offices. It was indicated that these Inmarsat terminals are being used by MICIVIH for communication with its headquarters. Moreover, owing to their remoteness, these outstations have no satellite/terrestrial telephone system installed at these locations. It was added that, with respect to the cost of the lease of repeater sites ($23,400), the rate applicable to UNMIH of approximately $409 per repeater per month is also applicable to MICIVIH owing to the number of repeater sites currently being rented by both UNMIH and MICIVIH. Accordingly, the revised cost of the lease of MICIVIH repeater sites is thus estimated at approximately $3,700, with a consequential reduction in the estimate of $19,700.

12. The Advisory Committee recommends that, taking into account the reductions indicated in paragraphs 7, 9 and 11 above, the General Assembly appropriate the amount of $2,042,897 under section 3, Peace-keeping operations and special missions, of the proposed programme budget for 1996-1997. An additional appropriation of $278,200 would be required under section 32, Staff assessment, offset by the same amount under income section 1, Income from staff assessment.

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Annex

INTERNATIONAL CIVILIAN MISSION TO HAITI

Actual deployment of staff for 1995

	On board 31 Dec. 1994	Jan. 1995	Feb. 1995	March 1995	April 1995	May 1995	June 1995	July 1995	August 1995	Sept. 1995	Oct. 1995	Nov. 1995	Dec. 1995	Total complement 1995
Professionals														
USG	0	-	-	-	-	-	-	-	-	-	-	-	-	0
D-2	1	-	-	-	-	-	-	-	-	-	-	-	-	1
D-1	0	-	-	-	-	-	-	-	-	-	-	-	-	0
P-5	1	-	-	(1)		1	1	-	-	-	-	-	-	2
P-4	7	(1)	3	2	2	15	11	7	-	-	-	-	-	46
P-3	2	14	5	4	17	-	-	-	-	-	-	-	-	42
P-2	8	(1)	-	-	-	-	-	-	-	-	-	-	-	7
Subtotal	19	12	8	5	19	16	12	7	0	0	0	0	0	98
General Service and others														
General Service	2	-	2	3	2	1	-	-	-	-	-	-	-	10
Field Service	2	-	-	4	2	(1)	-	-	-	-	-	-	-	7
Security Service	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Subtotal	4	0	2	7	4	0	0	0	0	0	0	0	0	17
Total international	23	12	10	12	23	16	12	7	0	0	0	0	0	115
Local staff	34	-	2	3	63	55	54	40	-	-	-	-	-	251
UNVs	0	-	-	-	-	30	-	-	-	-	-	-	-	30
Grand total	57	12	12	15	86	101	66	47	0	0	0	0	0	396